

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

436S0662

HOUSE HEALTH AND HUMAN SERVICES

ENGROSSED NO. **HB 1240** - 2/17/2011

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives Greenfield and Sly and Senator Nygaard

1 FOR AN ACT ENTITLED, An Act to exempt certain sales of non-temperature-controlled
2 baked goods from certain licensing requirements.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 34-18 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Any person selling non-temperature-controlled baked goods from the person's own primary
7 residence is exempt from the licensing and license fee provisions of this chapter under the
8 following conditions:

9 (1) Any non-temperature-controlled baked goods sold from a person's own primary
10 residence is for consumption off the premises;

11 (2) Any non-temperature-controlled baked goods sold from a person's own primary
12 residence meets the requirements of § 34-18-37; and

13 (3) The total gross receipts from the sale of non-temperature-controlled baked goods
14 from the person's own primary residence does not exceed five thousand dollars in a



1 calendar year.